

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kai LICHA et al.

Group Art Unit 1654

Serial No.: 10/762,582

Examiner: KOSAR, Andrew D.

Filed: January 23, 2004

For: HYDROPHILIC, THIOL-REACTIVE CYANINE DYES AND CONJUGATES  
THEREOF WITH BIOMOLECULES FOR FLUORESCENCE DIAGNOSIS

**REPLY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

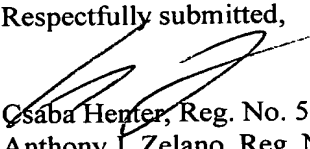
In response to the Office Action mailed on September 7, 2005, applicants elect with traverse Group I, claims 1-24, and as a species elect the compound of claim 9. The traversal is on the basis that the PTO has not established that it would pose an undue burden to examine the full scope of the application.

Additionally, applicants thank the Examiner for pointing to MPEP § 821.04, Rejoinder, and request that at the appropriate time the non-elected claims be rejoined in accord with the rejoinder provisions of the MPEP.

Additionally, applicants expressly reserve the right to file divisional applications.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

  
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Anthony J. Zelano, Reg. No.: 27,969  
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Date: September 30, 2005  
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